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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,961	07/17/2003	Keith Jonathan Schmidt	16300-US	2021

7590 11/16/2004  
Joel S. Carter  
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DEERE & COMPANY  
One John Deere Place  
Moline, IL 61265-8098

EXAMINER

LEE, GUIYOUNG

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/621,961

Applicant(s)

SCHMIDT, KEITH JONATHAN

Examiner

Guiyoung Lee

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9, 11-15 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 5,149,149) in view of Krogsrud (US 4,160,536).

3. Re claims 1 and 17: Wu discloses a light assembly comprising a lower support (2' in Fig. 5), a hollow cylindrical tube member (Fig. 4), and an upper support (2) comprising a housing for holding a lighting device (the lighting device in Fig. 5) and a support rod member (2) extending from the housing. Wu does not disclose a plate for attaching to a frame. Further, Wu does not disclose that the rod member is pivotally coupled to the tube member. However, Krogsrud teaches a hollow cylindrical tube member having a lower support (80) and an upper support (32), and the lower support is attached to the upper support pivotally. Further, Krogsrud discloses a plate (62 in Fig. 5) for attaching the light assembly to a frame. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wu's two support to be attached each other pivotally as taught by Krogsrud in order to provide flexibility to the lower support and the upper support.

Re claims 2-8, 12-15 and 18: Wu discloses a detent device (3 and 4 in Fig. 1) having two recesses (32 and 32' in Fig. 1) for releasably holding the upper support in selective positions

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relative to the lower support. Further, Wu discloses that a bushing member (3) is received by the tube (2') and rod member (2) to maintain axial alignment thereof, and the rod receiving pin (42) is selectively receivable by the recesses. Furthermore, Wu discloses a hollow cylindrical retainer (4) having a smaller diameter shaft (See 4 in Fig. 1) received in an upper end of the tube member and having a larger diameter rim which engages an end of the tube member, the retainer (4) rotatably receiving a bushing (3) which projects from the rod. Wu does not disclose that two recesses are formed in an end of one of the upper and lower support. However, It would have been obvious to one having ordinary skill in the art at the time the invention was made to change the location of the recesses to the end of one of the upper or lower supports, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikes*, 86 USPQ 70.

Re claims 9 and 11: Krogsrud discloses that a spring is biased to urge the tube and rod members toward each other (See Fig. 1a and Fig. 2a).

4. Claims 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu and Krogsrud as applied to claims 1 and 12 above, and further in view of Chadwick (US 5,170,975).

Re claim 10 and 16: Wu and Chadwick do not disclose that the upper end of the rod member bend horizontally. However, Chadwick shows the upper end (18 in Fig. 1) of the rod member (14) bends horizontally. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Wu's rod member to bend horizontally as taught by Chadwick in order to redirect the direction of the rod member and the lighting device.

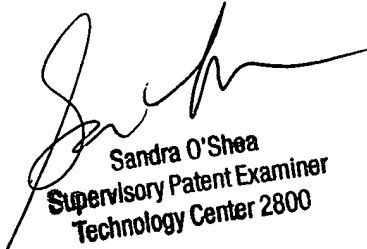
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800